IN THE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NORTH CAROLINA WILSON DIVISION

IN RE: GREGORY TYRONE PARKER STEPHANIE TANT PARKER SSN: XXX-XX-4706 SSN: XXX-XX-6725	Case No. 09-04381-8-JRL CHAPTER 13
DEBTORS)	

OBJECTION TO MINUTES OF 341 AND MOTION FOR CONFIRMATION OF PLAN

NOW COMES, Creditor America's Servicing Company, ("ASC") and objects to the proposed plan, and in support thereof alleges and says:

- 1) ASC is the servicer of a Promissory Note secured by a Deed of Trust on the primary residence of the Debtors and known as 5812 Arrowood Lane, Raleigh, North Carolina and more particularly described in the Deed of Trust recorded in Book 8684 Page 1673 in the Wake County Registry, North Carolina.
- 2) ASC filed a Proof of Claim with the Chapter 13 Trustee on or about September 16, 2009 listing a total indebtedness claim of \$60,481.62 and an arrearage claim of \$9,221.84.
- 3) The Proposed Plan provides for the bifurcation of ASC's claim into a secured portion of \$42,589.00 and an unsecured portion of \$17,892.62.
- 4) ASC objects to the bifurcation of its claim into secured and unsecured status; and further objects to the value placed on the subject property by the Debtor. Upon information and belief, ASC alleges and states that should the Court find that ASC's claim may be bifurcated; that the subject property should be valued at no less than the Wake County tax assessed value of \$69,905.00, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

WHEREFORE, ASC respectfully requests the court as follows:

- 1) That ASC's total claim in the amount of \$60,481.62 being treated as fully secured and paid at the contractual rate of interest; and
- 2) ASC's arrearage claim in the amount of \$9,221.84 be paid in full through the Chapter 13 Plan; and
- 3) Additionally that ASC be awarded reasonable attorney fees in the amount of \$250 for the filing of this pleading; and
- 4) For such other and further relief as the Court deems just and proper.

This the 11th day of August, 2010.

THE LAW FIRM OF HUTCHENS, SENTER& BRITTON, P.A.

S:\ Sarah D. Miranda
Sarah D. Miranda
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Fax: (910)864-6177 State Bar No.: 29354

Property Tax Information

Billing/Collections - Billing Statement

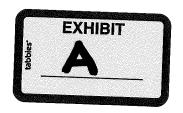
Wake County, North Carolina

Print Close Window

Please mail payments and correspondence to: Wake County Revenue Department PO Box 2331 Raleigh NC 27602

PARKER, GREGOR PARKER, STEPHAI			Acct #: 0000021614-2010-2010-000000 Bill Date: 07/21/2010 Due Date: 09/01/2010 Interest Begins: 01/06/2011) Ac	Acct Status:			
Description: LO28 ARROWOOD HILLS BM3 Location: 5812 ARROWOOD LN 27606-9224 REID: 0021614 Acres: 0.46 Class: 2 PIN: 0781711539							Fi Sp	Municipality: Fire District: FIRE TAX DIST Special Dist:			
REID: 0021614 Assessed Value	Orig	Adj	Class:	Z Taxing L	PIN:	0781711539 Amt Billed	Adi Billed	ecycle Units:	1 ent Allocation		
Real Deferred Use Personal Exclusion Total Value	69,905 69,905 69,905		Late Veh Total Cit .5340 Wa .0800 Fire Spe	ecial District e List Penalty nicle Fee y ke County	•	0.00 373.29 55.92		City Special Distri Late List Pen Vehicle Fee City Interest Wake County Fire District Special Distri Late List Pen Recycle Fee	alty /		
If Paid By 01/05/20	011 Pay \$4	49.21	1	cycle Fee ke County ed		20.00 449.21 449.21		County Interest Costs Total Paid Principal Due Interest Due Costs Total Due	0.0		

The property records and tax bill data provided herein represent information as it currently exists in the Wake County collection system. This data is subject to change daily. Wake County makes no warranties, express or implied, concerning the accuracy, completeness, reliability, or suitability of this data. Furthermore, this office assumes no liability whatsoever associated with the use or misuse of such data.



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date this Objection was served upon the following parties by depositing a copy enclosed in a postpaid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Parcel Service or via the appropriate electronic server.

Debtors: Gregory Tyrone Parker 5812 Arrowood Lane Raleigh, NC 27606

Stephanie Tant Parker 5812 Arrowood Lane Raleigh, NC 27606

John T. Orcutt 66616-203 Six Forks Road Raleigh, NC 27615

Chapter 13 Trustee: John F. Logan P.O.Box 61039 Raleigh, NC 27661

This the 11th day of August, 2010.

THE LAW FIRM OF HUTCHENS, SENTER& BRITTON, P.A.

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